

Re. : Amendment and Response to Final Office Action Mailed July 6, 2006
Appl. No. : 10/692,141
Filed : October 23, 2003

II. REMARKS

Claims 27-30 and 32-35 are currently pending and the Office Action rejected Claims 27-30 and 32-35. By the foregoing amendments, Applicant amended Claims 27 and 32 to further clarify, more clearly define, broaden the claimed invention, expedite receiving a notice of allowance and/or to place the rejected claims in better form for consideration on appeal. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicant believes that Claims 27-30 and 32-35 are now in condition for allowance.

Please note that Applicant's remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

A. Response to the Section 112 Rejection

The Office Action rejected Claims 27-30 and 32-35 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action stated Claims 27 and 32 recite the limitation "extending outwardly from a plane that is generally aligned with the lower

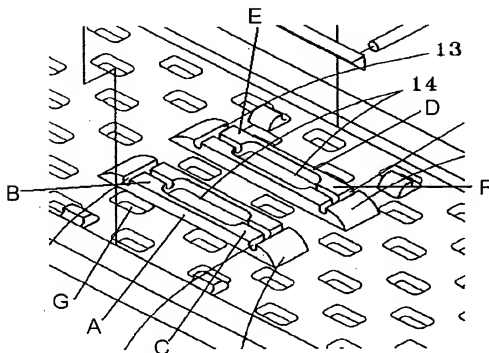
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portion of the table top,” but it is unclear which direction (towards the legs or towards the top) is considered “outwardly.”

Applicants respectfully traverse this rejection. However, as set forth above, Applicants deleted the phrase “extending outwardly from a plane that is generally aligned with the lower portion of the table top” from Claims 27 and 32. Accordingly, Applicants request that this Section 112 rejection be withdrawn.

B. Response to the First Section 102(e) Rejection

The Office Action rejected Claims 27-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0233967 by Lin. The Office Action states that, regarding Claims 27 and 28, Lin teaches a table with a blow molded tabletop (see Lin, paragraph 0017 “table plate 1 is made by a blow molding method”) with first and second leg assemblies (23) movable between extended and collapsed positions, a support assembly having a first (A) and second (D) mounting structures integrally formed in the table top, first and second support members (27), first and second crossbars (26), and a handle (G and H) integrally formed with the first mounting structure and substantially disposed in a sidewall of the first mounting structure and at least substantially formed in a portion of the first mounting structure extending outwardly (portion H of the handle includes material integral to the first mounting structure and extending outwardly from the lower surface of the table) from a plane that is generally aligned with the lower portion of the table top. The Office Action included the following marked-up figure:



Lin, Figure 1 (detail)

Applicants respectfully traverse this rejection because the *Lin* reference fails to disclose each and every limitation of Claim 27. Nevertheless, to further clarify the claimed invention or, in the alternative, to place the rejected claims in better form for consideration on appeal, Applicants amended Claim 27. In view of these clarifying amendments, Applicants request that this Section 102(e) rejection be withdrawn.

Applicants amended Claim 27 to provide, *inter alia*, “a first mounting structure integrally formed in the lower portion of the table top during the blow-molding process as part of a unitary structure, the first mounting structure including a side wall that extends downwardly and away from the lower portion of the table top, the first mounting member including an inner surface and an outer surface, the side wall forming at least a portion of the outer surface of the first mounting structure.” In addition, Applicants Claim 27 to provide “a handle integrally formed in the side

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wall of the first mounting structure of the support assembly during the blow-molding process as part of a unitary structure, the handle being at least substantially disposed between the lower portion of the table top and a lower portion of the side wall of the first mounting structure, the handle being sized and configured to facilitate carrying the table.”

Thus, Claim 27 positively recites that the first mounting structure includes a side wall that extends downwardly and away from the lower portion of the table top at an angle, and the side wall forms at least a portion of the outer surface of the first mounting structure. Claim 27 also positively recites the handle is integrally formed in the side wall of the first mounting structure of the support assembly during the blow-molding process as part of a unitary structure, the handle being at least substantially disposed between the lower portion of the table top and a lower portion of the side wall of the first mounting structure, the handle being sized and configured to facilitate carrying the table.

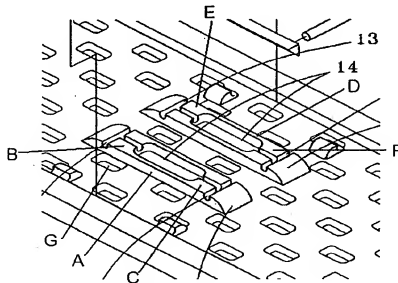
The Lin reference, in contrast, does **not** disclose a handle integrally formed in the side wall of the first mounting structure of the support assembly during the blow-molding process as part of a unitary structure; and the handle being at least substantially disposed between the lower portion of the table top and a lower portion of the side wall of the first mounting structure. The Lin reference also does **not** disclose the handle being sized and configured to facilitate carrying the table.

Accordingly, Applicants respectfully submit that Claim 27 is allowable and request that this Section 102(e) rejection be withdrawn. In addition, Applicants respectfully submit that dependent Claims 28-30 are allowable for at least the same reasons as Claim 27. Therefore, Claims 27-30 should now be allowable.

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C. Response to the Second Section 102(e) Rejection

The Office Action rejected Claims 32-35 under 35 U.S.C. § 102(e) as being anticipated by the *Lin* reference. In particular, the Office Action stated, regarding Claims 32 and 33, the *Lin* reference teaches a table with a blow molded tabletop (see *Lin*, paragraph 0017 “table plate 1 is made by a blow molding method”) with first and second leg assemblies (23) movable between extended and collapsed positions, a support assembly having a first (A) and second (D) mounting structures integrally formed in the table top, first and second support members (27), first and second crossbars (26), and a handle (G and H) integrally formed with the first mounting structure and substantially disposed in a sidewall of the first mounting structure and at least substantially formed in a portion of the first mounting structure extending outwardly (portion H of the handle includes material integral to the first mounting structure and extending outwardly from the lower surface of the table) from a plane that is generally aligned with the lower portion of the table top. The Office Action included the following marked-up figure:



Lin, Figure 1 (detail)

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Applicants respectfully traverse this rejection because the *Lin* reference fails to disclose each and every limitation of Claim 32. Nevertheless, as mentioned above, to further clarify the claimed invention or, in the alternative, to place the rejected claims in better form for consideration on appeal, Applicants amended Claim 32. In view of these clarifying amendments, Applicants request that this Section 102(c) rejection be withdrawn.

Applicants amended Claim 32 to provide, *inter alia*, “a first mounting structure integrally formed in the lower portion of the table top during the blow-molding process as part of a unitary structure, the first mounting structure including a side wall that extends downwardly and away from the lower portion of the table top, the side wall being disposed at an angle relative to the lower portion of the table top, the first mounting member including an inner surface and an outer surface, the side wall forming at least a portion of the outer surface of the first mounting structure.” In addition, Applicants Claim 27 to provide “a handle integrally formed in the side wall of the first mounting structure of the support assembly during the blow-molding process as part of a unitary structure, the handle being at least substantially disposed between the lower surface of the table top and a lower portion of the first mounting structure, the handle being sized and configured to facilitate carrying the table.”

Claim 32 therefore positively recites that the first mounting structure includes a side wall that extends downwardly and away from the lower portion of the table top, the side wall being disposed at an angle relative to the lower portion of the table top; and the side wall forming at least a portion of the outer surface of the first mounting structure. Claim 32 also positively recites the handle is at least substantially disposed between the lower surface of the table top and a lower portion of the first mounting structure.

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The Lin reference does not, *inter alia*, disclose a handle integrally formed in the side wall of the first mounting structure of the support assembly. In addition, the Lin references does not disclose a handle that is at least substantially disposed between the lower surface of the table top and a lower portion of the first mounting structure.

Accordingly, Applicants respectfully request that this Section 102(e) rejection of Claim 32 be withdrawn. In addition, Applicants submit that Claims 33-35 are allowable for at least the same reasons as Claim 32. Therefore, Claims 32-35 should now be in condition for immediate allowance.

III. Conclusion

In view of the foregoing, Applicants submit that Claims 27-30 and 32-35 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

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The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: Oct. 11, 2007

By: 

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